

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, June 10, 2015

ACTION ITEMS:

1. Minutes of May 27, 2015 Worksession.

Action: Approved, (SBB/CJS, 5-0).

2. **CBA-461, Petition of The Edgemoor Club** (Private Club). Letter to the Board from Patricia Harris, Esquire, and Elizabeth Geare, Esquire, requesting an administrative modification. [Large Exhibit: site plan and elevations]

Action: Granted the administrative modification, (CJS/ESR, 5-0).

3. **CBA-842, Petition of Laszlo N. Tauber, d/b/a Westwood Joint Venture** (Recreational Establishment). Letter to BOA from Portia Bagby of Bowlmor AMF, requesting an administrative modification. Also included is a letter and photographs from Dwight Gorman, Property Manager.

Action: Granted the administrative modification, (JHP/CJS, 5-0).

4. **CBA-2333-A, Petition of Dr. Howard E. Pointer** (Non-resident Medical Practitioner's Office). Letter to the Board from Vaughan M. Wright, DDS, requesting transfer of the special exception with the consent of the Petitioner.

Action: Granted the transfer of the special exception, (SBB/ESR, 5-0).

5. **HE-94-1, Petition of Hyattstown Associates Limited Partnership** (Cemetery). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, requesting revocation of the special exception as not implemented.

Action: Revoked the special exception as not implemented, (SBB/CJS, 5-0).

6. **S-763 [S-763-A], Petition of Silver Spring Temple and Library Association, Inc.** (Service Organization). Letter to the Board from Bill O'Brien, Site Development Manager, T-Mobile, notifying the Board that the modification request is withdrawn. Item deferred [W/S: 3/10/2010].

Action: Dismissed the modification request as withdrawn, (CJS/ESR, 5-0).

7. **S-2016, Petition of Team Washington, Inc. t/a Domino's** (eating and drinking establishment including a drive-in). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, recommending revocation of the special exception as the property has been rezoned and the use is now permitted.

Action: Revoked as permitted in the zone, (SBB/ESR, 5-0).

8. **S-2822, Petition of Siena Learning, LLC, d/b/a The Siena School** (Private School). Letter to the Board from Clay Kaufman, Head of School, requesting an administrative modification. [Large Exhibit: modular building exhibit]

Action: Granted the administrative modification, (JHP/CJS, 5-0).

9. **SE-11-02, In the Matter of Margaret L. Zhang,** (Child Day Care Center for up to 30 children in Petitioner's home). Email to the Board from Bryan K. Cook, with a complaint.

Action: Referred the item to the Department of Permitting Services for investigation, (SBB/JHP, 5-0).

10. **ZAS-326, Petition of Lyle Asch** (Private Educational Institution). Memorandum to the Board from Heather Gottke, Inspector, Department of Permitting Services, recommending revocation of the special exception based upon abandonment. Also included is a confirmation letter from the Petitioner.

Action: Revoked as abandoned, (CJS/ESR, 5-0).

DECISION ITEM:

11. **S-2878, Petition of Michael Chervenak for Greencourt LLC,** (Office, General). Hearing Examiner's Report and Recommendation.

Action: (1) Adopted the Hearing Examiner's Report and Recommendation; (2) granted the special exception with conditions, (SBB/ESR, 5-0).

PENDING ITEMS:

- 12. S-2145, Petition of Southwestern Bell Mobile Systems, Inc.** (Telecommunication Facility). Letter to the Board from Karmen Rajamani, Zoning Manager, requesting a transfer of the special exception. Item deferred for confirmation of the transfer from Southwestern Bell Mobile Systems, Inc. [W/S 4/30/2008].
- 13. CBA-2523, Petition of Nathan Brisker** (Motel). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, recommending revocation of the special exception as the property has been rezoned and the use is now permitted. Item deferred (consensus) [W/S 3/25/15].
- 14. CBA-1996 and S-221, Petition of Dr. Christopher S. Weaver, C. S.** (Private Riding Stable). Memorandum to the Board from Stanley Garber, Investigator, Department of Permitting Services, requesting a show cause hearing for abandonment. Item deferred. [W/S 5/27/15].
- 15. S-673, Petition of Westwood Management Corporation** (Private Riding Stable). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, requesting show cause hearing for abandonment. Item deferred. [W/S 5/27/15].

Board Members

David K. Perdue, Chair
Carolyn J. Shawaker, Vice Chair
Stanley B. Boyd
John H. Pentecost
Edwin S. Rosado

Staff

Barbara Jay, Associate County Attorney
Katherine Freeman, Executive Director

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

WORKSESSION ADDENDUM MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, June 10, 2015

ACTION ITEMS:

- 1. A-6466, Petition of Michael and Christine Hauswirth, (Variance).** Letter to the Board from Soo Lee-Cho, Esquire, requesting the withdrawal of the variance petition and also the 50% refund of the filing fee.

Action: (a) Dismissed the variance petition as withdrawn; (b) granted 50% refund of the filing fee, (CJS/SBB, 5-0).

Board Members

David K. Perdue, Chair
Carolyn J. Shawaker, Vice Chair
Stanley B. Boyd
John H. Pentecost
Edwin S. Rosado

Staff

Barbara Jay, Associate County Attorney
Katherine Freeman, Executive Director